

Oct 18 00 09:57a

CF & KELLY LLP

650 6 4013

P. 4

Applicant/Patentee: Behrooz REZVANIApplication or Patent No. 09/620,779Atty Docket No. VELCP001Filed or Issued: July 21, 2000For: METHOD AND APPARATUS FOR PROVIDING PACKET BASED AND DISTRIBUTED X-DSL COMMUNICATIONS**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**
37 CFR 1.9(f) and 1.27(b)--INDEPENDENT INVENTOR

As a below-named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled: **METHOD AND APPARATUS FOR PROVIDING PACKET BASED AND DISTRIBUTED X-DSL COMMUNICATIONS** described in

- ☐ the specification filed herewith
☒ application no. 09/620,779, filed July 21, 2000.
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization
☒ person, concerns or organizations listed below*
Velocity Communication, Inc.

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the U.S. Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.


Behrooz REZVANIDate: 10/19/2000RECEIVED
DEC 08 2000

Technology Center 2680

Oct. 19 00 09:56a

KELLY LLP

650 3 4013

p.3

Applicant/Patentee: Behrooz REZVANIApplication or Patent No. 09/620,779 Atty Docket # VELCP001Filed or Issued: July 21, 2000VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(f) and 1.27(c)-SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:☒ an official empowered to act on behalf of the small business concern identified below:NAME OF CONCERN: Velocity Communication, Inc.ADDRESS: 47709 Fremont Boulevard, Fremont, CA 94538

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under 41(a) and (b) of Title 35, U.S. Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: **METHOD AND APPARATUS PROVIDING PACKET BASED AND DISTRIBUTED X-DSL COMMUNICATIONS**, by inventor Behrooz REZVANI, described in

☐ the specification filed herewith.☒ Application No. 09/620,779, filed July 21, 2000☐ patent # _____ issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *Note: separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: _____

Address: _____

☐ individual ☐ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the U.S. Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Rajesh VashistTitle in Organization: CEOSignature: [Signature]Date: 10/19/00

Technology Center 2600

DEC 08 2000

RECEIVED